



**Los Angeles County
Board of Supervisors**

Hilda L. Solis
First District

Mark Ridley-Thomas
Second District

Sheila Kuehl
Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

Mitchell H. Katz, M.D.
Director

Hal F. Yee, Jr., M.D., Ph.D.
Chief Medical Officer

Christina R. Ghaly, M.D.
Deputy Director, Strategic Planning

313 N. Figueroa Street, Suite 912
Los Angeles, CA 90012

Tel: (213) 240-8101
Fax: (213) 481-0503

www.dhs.lacounty.gov

*To ensure access to high-quality,
patient-centered, cost-effective
healthcare to Los Angeles County
residents through direct services at
DHS facilities and through
collaboration with community and
university partners.*



www.dhs.lacounty.gov

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

39 January 20, 2015

PATRICK OZAWA
ACTING EXECUTIVE OFFICER

January 20, 2015

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**APPROVE THE REINSTATEMENT OF RETIRED COUNTY EMPLOYEE AS
A 120-DAY TEMPORARY EMPLOYEE
(ALL DISTRICTS)
(3 VOTES)**

SUBJECT

The Department of Health Services (DHS) is requesting that the Board grant an exception to the 180-day waiting period required under the California Public Employees' Pension Reform Act (PEPRA) of 2013, with regards to reinstating retired County Employees as 120-day temporary employees.

IT IS RECOMMENDED THAT THE BOARD:

Authorize DHS's immediate reinstatement of Ms. Cara O'Neill as a temporary employee upon Board approval, waiving the 180-day waiting period required under Government Code Section §7522.56 (Code).

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Los Angeles County (County) employee, Ms. O'Neill retired from active County service on October 31, 2014. Ms. O'Neill is part of a highly knowledgeable but small group of three DHS Finance employees that have experience negotiating 1115 Waivers. Her duties include helping the California Association of Public Hospitals and Health Systems (CAPH), and the State's Department of Health Care Services (DHCS) in designing the 1115 Waiver funding sources, developing PowerPoint presentations, and assisting in writing and commenting on the draft 1115 Waiver proposal to the Centers for Medicare and Medicaid Services (CMS). Once the draft has been submitted to CMS, she would also be involved in negotiating the final terms and conditions of the next 1115 Waiver.

Due to staff changes at CAPH, DHCS, and CMS, it is extremely important that DHS have experienced staff help negotiate the next 1115 Waiver. Due to the short timeframes involved in the process (the draft proposal is due to CMS in April 2015 and the final terms and conditions are due October 31, 2015) it is not practical to train other staff to do this very unique job skill and DHS cannot afford to wait 180 days to reinstate her.

DHS requests the Board approve the reinstatement of Ms. O'Neill as a temporary 120-day employee, thus waiving the 180-day waiting period required under PEPRA.

Implementation of Strategic Plan Goals

The recommended action supports Goal 1, Operational Effectiveness/Fiscal Sustainability, of the County's Strategic Plan, maximizing public services by reinstating experienced former employees, and promoting sound and prudent fiscal practices by reducing overtime and training costs.

FISCAL IMPACT/FINANCING

Funding for this position exists within DHS's Salary and Employee Benefits budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Under the Code, a retiree must wait 180 days from the date of retirement before returning to work for the County on a temporary basis. An exception to this rule is allowable if the employer certifies that the employee's immediate reinstatement is necessary in order to fill a critically needed position and provided that the hiring has been approved by the Board in an open meeting. DHS requests that the Board grant an exception to this 180-Day rule, recognizing the importance to allow Ms. O'Neill to assist DHS in all aspects of negotiating and finalizing the next Waiver. It is very important to have Ms. O'Neill start as soon as possible since the work on the next Waiver has just started. This type of work is only temporary and would end at the conclusion of both the completion of the terms and conditions and all necessary protocols.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will help to ensure that DHS is able to maximize federal funding through the 1115 Waiver.

CONCLUSION

Ms. O'Neill's experience and knowledge in 1115 Waiver's makes her an invaluable asset to DHS. We expect the next 1115 Waiver to be worth more than \$1 billion dollars per year. Ensuring that DHS has the best available staff to negotiate the Waiver is critical to the financial stability of DHS. The immediate reinstatement of Ms. O'Neill as a temporary employee will assist DHS in negotiating the next 1115 Waiver.

Respectfully submitted,

A handwritten signature in black ink, reading "Mitchell Katz". The signature is written in a cursive, flowing style.

Mitchell H. Katz, M.D.

Director

MHK:rop

c: Chief Executive Office
County Counsel
Executive Office, Board of Supervisors